

Exhibit QQ

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

THE CITY OF NEW YORK,

Plaintiff,

v.

ENVIROMD GROUP LLC; GT IMPORTS;
KAYLA WHOLESALE, INC., d/b/a The Vapery;
KLCC WHOLESALE INC.; MV TRADING LLC a/k/a
MYVAPORSTORE; PIONEER DISTRIBUTION, INC. a/k/a
WEVAPEUSA.COM a/k/a SELLER SUPREME LLC;
RZ SMOKE INC.; STAR ZONE INC.; URBAN SMOKE
DISTRIBUTORS; VAPE MORE INC. a/k/a MORE LLC; and
VAPE PLUS DISTRIBUTION CORP. a/k/a G&A
DISTRIBUTION,

Defendants.

Index No. 451009/2024

Hon. Jeanine R. Johnson

**NOTICE OF MOTION OF
PLAINTIFF THE
CITY OF NEW YORK
FOR PRELIMINARY
INJUNCTION**

PLEASE TAKE NOTICE, that upon the annexed Memorandum of Law of Plaintiff the City of New York in Support of Preliminary Injunction, Affirmation of Assistant Corporation Counsel Elizabeth Slater, dated July 1, 2024 (“*Slater Aff.*”) and exhibits thereto, Affirmation of Michelle Morse, M.D., Chief Medical Officer and Deputy Commissioner for the Center for Health Equity and Community Wellness at the NYC Department of Health and Mental Hygiene, dated May 21, 2024 (“*Morse Aff.*”), and Affirmation of Vincent Lesnak, Chief Executive Officer of investigatory firm Cross Border Solutions, LLC, dated May 20, 2024 (“*Lesnak Aff.*”), Plaintiff the City of New York will move this Court in the Motion Submission Part, Room 130 of the Courthouse located at 60 Centre Street, New York, New York 10007, on July 11, 2024, at 9:30

a.m., or as soon thereafter as counsel may be heard, for an order pursuant to CPLR § 6301 preliminarily enjoining EnviroMD Group LLC (“EnviroMD”), GT Imports, Kayla Wholesale, Inc. d/b/a The Vapery (“Kayla”), KLCC Wholesale Inc. (“KLCC”), MV Trading LLC a/k/a Myvaporstore (“MV Trading”), Pioneer Distribution, Inc. a/k/a Wevapeusa.com a/k/a Seller Supreme LLC, David Alfih, and Marcus Bernard (collectively “Pioneer”), RZ Smoke Inc. (“RZ Smoke”), Star Zone Inc. (“Star Zone”), Urban Smoke Distributors (“Urban Smoke”), Vape More Inc. a/k/a More LLC (“Vape More”), and Vape Plus Distribution Corp. a/k/a G&A Distribution (“Vape Plus”) (collectively, “Defendants”) (i) from violating the PACT Act, 15 U.S.C. § 375 *et seq.*, NYC Administrative Code §17-715, and NY Pub. Hlth. L. 1399-ll (1-a) by selling flavored e-cigarettes to entities located within the City of New York and (ii) for such other relief as to the Court seems just and proper.

PLEASE TAKE FURTHER NOTICE, that under Rule 2214(b) of the Civil Practice Law and Rules, answering affidavits, if any, are required to be served upon the undersigned at least two (2) days before the return date of this motion.

Dated: New York, New York
July 1, 2024

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City of New York
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By: /s/ Aatif Iqbal
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Aatif Iqbal
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Elizabeth Slater

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